



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/023,258  
Applicant : Zhang et al.  
Filed : December 14, 2001  
TC/A.U. : 1621  
Examiner : J. Parsa  
Docket No. : 1856-23900 (9602.0-01)  
Customer No.: 31889

Confirmation No. 5940

REQUEST UNDER 37 CFR 1.116(e) FOR  
ADMISSION OF AFFIDAVITS BEFORE OR WITH APPEAL  
and  
AMENDMENT OF TWO CLAIMS UNDER 1.116(b)

Atty. Dkt. No.: 1856-23900  
Date: September 17, 2004

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office action of March 19, 2004, Applicants respectfully request that the Examiner enter and consider the attached Affidavits for the reasons set out below.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

**The Affidavit of Professor Milorad Dudukovic**, Laura and William Jens Professor and Chairman of the Department of Chemical Engineering at Washington University is attached at Tab A;

**the Affidavit of Professor Calvin Bartholomew**, Professor of Chemical Engineering and Head of the Catalysis Laboratory at Brigham Young University, is attached at Tab B; and

**the Affidavit of R. Ameri David**, chemical engineering graduate student at Caltech, is attached at Tab C.

**The Opinion of the Federal Circuit in *Ecolochem, Inc. v Southern California Edison Co.***, 227 F.3d 1361 (Fed. Cir. 2000) is attached at Tab D.

is okay to enter the amendment  
9/30/04 J.P.